

Notice of Allowability

Application No.

10/675,440

Examiner

Essama Omgbala

Applicant(s)

PINTO ET AL.

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendments filed December 16, 2005.
2. The allowed claim(s) is/are 2-6,8-12 and 14-17.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) hereto or 2) to Paper No./Mail Date _____.
(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
 Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
 of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
 Paper No./Mail Date 1/31/06.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Timothy McCarthy on January 30, 2006.

The application has been amended as follows:

In the claims

Claim 15: line 6, --a distance from the bottom end of the second tube, the tube ring snuggly fitting inside the second tube-- has been inserted after the second occurrence of "tube",
line 7, "and" first occurrence has been deleted; --and said netting tube-- has been inserted before "form".

Claim 16: line 7, --slightly-- has been inserted after "diameter".

Claim 17: line 10, --tube-- has been inserted before "form".

2. The following is an examiner's statement of reasons for allowance: for claim 15, the prior art does not teach a method of rucking netting onto a netting tube wherein a second tube is placed over the netting tube and a tube ring is placed inside and concentric to the second tube a distance from the bottom end of the second tube, the tube ring snuggly fitting inside the second tube, whereby the tube ring, the second tube

Art Unit: 3726

and the netting tube form an annular space, these in combination with the rest of the limitations in the claim. For claim 16, the prior art does not teach an apparatus for rucking netting onto a tube, the apparatus comprising a second tube having a bore with a first diameter slightly greater than the netting tube outside diameter and demountably alignable co-axially to the netting tube, a notch in an end of the second tube forming an annular space with the netting tube, these in combination with the rest of the limitations in the claim. For claim 17, the prior art does not teach an apparatus for rucking netting onto a tube, the apparatus comprising a netting tube having an outside diameter and an axis, a second tube having a bore with a diameter greater than the netting tube outside diameter and demountably alignable co-axially to the netting tube, a tube ring aligned concentric to the bore of the second tube and sliding axially over the netting tube, whereby the tube ring, the second tube and the netting tube form an annular space, these in combination with the rest of the limitations in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgbala whose telephone number is (571) 272-4532. The examiner can normally be reached on M-F 9-6:30, 1st Friday off.

Art Unit: 3726

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Jimenez can be reached on (571) 272-4530. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Essama Omgbra
Primary Examiner
Art Unit 3726

eo

January 31, 2006